

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2861

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 12-121, Arizona Revised Statutes, is amended to
3 read:

4 12-121. Number of judges; petition for approval of additional
5 judges

6 A. In each county of the state there shall be a superior court for
7 which at least one judge shall be elected. ~~In each county having a census~~
8 ~~enumeration greater than thirty thousand inhabitants, and upon~~ ON petition by
9 the board of supervisors of ~~such~~ THE county to the governor and ~~his~~ ON THE
10 GOVERNOR'S approval ~~thereof~~ OF THE PETITION, ~~there shall be~~ an additional
11 judge OR JUDGES of the superior court ~~for each thirty thousand inhabitants,~~
12 ~~or majority fraction thereof, or the additional judge of the superior court~~
13 ~~may~~ SHALL be authorized, ~~based on the procedure prescribed by the terms of~~
14 ~~subsections B and C.~~

15 ~~B. Upon petition by the board of supervisors of a county to the~~
16 ~~governor and his approval thereof, there shall be an additional judge of the~~
17 ~~superior court provided that the board of supervisors has determined, as~~
18 ~~prescribed in subsection C, that the county has acquired since the last~~
19 ~~census enumeration the required number of inhabitants for an additional judge~~
20 ~~as provided in subsection A.~~

21 ~~C. The determination of the board of supervisors shall be based on,~~
22 ~~but not limited to, recent estimates of population, if any, of any area~~
23 ~~within the county issued by the bureau of the census, auto registrations,~~
24 ~~nonagricultural employment, gross utility revenues and retail sales.~~

25 ~~D.~~ B. Additional judges authorized by ~~the terms of~~ this section shall
26 be appointed or elected as provided by law."

27 Renumber to conform

28 Page 7, between lines 17 and 18, insert:

1 "Sec. 4. Section 28-3396, Arizona Revised Statutes, is amended to
2 read:

3 28-3396. Court diversion fee

4 A. The presiding judge of each court shall:

5 1. Set the amount of the court diversion fee that an individual who
6 attends a defensive driving school may be assessed.

7 2. CHARGE AN INDIVIDUAL A FORTY-FIVE DOLLAR SURCHARGE IF THE
8 INDIVIDUAL ATTENDS A DEFENSIVE DRIVING SCHOOL.

9 ~~2.~~ 3. Immediately inform the supreme court in writing of the amount
10 of the court diversion fee that is established for the court and the total
11 cost to attend a defensive driving school.

12 ~~3.~~ 4. Immediately inform the supreme court in writing of any changes
13 in the total cost to attend a defensive driving school.

14 B. Payment of the court diversion fee AND SURCHARGE is in lieu of
15 payment of a civil penalty or criminal fine AND ANY SURCHARGE that ~~is~~ ARE
16 imposed for a traffic violation.

17 C. The driving school shall collect the court diversion fee AND
18 SURCHARGE before or at the time an individual attends the school. On receipt
19 of the diversion fee, the defensive driving school shall transmit the fee
20 promptly to the appropriate court pursuant to procedures prescribed by the
21 supreme court. ON RECEIPT OF THE SURCHARGE, THE DEFENSIVE DRIVING SCHOOL
22 SHALL TRANSMIT THE SURCHARGE PROMPTLY TO THE STATE TREASURER FOR DEPOSIT,
23 PURSUANT TO SECTIONS 35-146 AND 35-147, IN THE HOMELAND SECURITY FUND
24 ESTABLISHED BY SECTION 41-705."

25 Page 9, after line 16, insert:

26 "Sec. 6. Title 41, chapter 4, article 1, Arizona Revised Statutes, is
27 amended by adding section 41-705, to read:

28 41-705. Homeland security fund

29 A. THE HOMELAND SECURITY FUND IS ESTABLISHED CONSISTING OF SURCHARGES
30 COLLECTED PURSUANT TO SECTION 28-3396 AND MONIES APPROPRIATED BY THE
31 LEGISLATURE. THE DEPARTMENT OF ADMINISTRATION SHALL ADMINISTER THE FUND AND
32 SHALL SPEND MONIES FROM THE FUND FOR HOMELAND SECURITY PROJECTS.

1 B. ON NOTICE FROM THE DEPARTMENT OF ADMINISTRATION, THE STATE
2 TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION
3 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

4 C. FUND MONIES:

5 1. DO NOT REVERT TO THE STATE GENERAL FUND.

6 2. ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO
7 LAPSING OF APPROPRIATIONS.

8 3. ARE SUBJECT TO LEGISLATIVE APPROPRIATION."

9 Amend title to conform

and, as so amended, it do pass

RUSSELL K. PEARCE
Chairman

2861-approp
2/20/08
H:jjb

2861rp *
02/19/2008
10:40 AM
C: sp

2861rp4 *
02/19/2008
1:06 PM
C: mu

2861rp2 *
02/19/2008
10:57 AM
C: drt